



REPORTING OF THE RECORD TASK FORCE

Meeting Minutes

December 4 – 6, 2002

Holiday Inn on the Bay

1355 North Harbor Drive, San Diego, CA 92101

TASK FORCE MEMBERS PRESENT:

Hon. James A. Ardaiz, Chair, Administrative Presiding
Justice of the Court of Appeal, Fifth Appellate District
Hon. S. William Abel, Presiding Judge, Superior Court
of Colusa County
Ms. Maura Baldocchi, CSR, Official Court Reporter,
Superior Court of San Francisco County
Mr. Ron D. Barrow, Clerk of the Court, Court of
Appeal, First Appellate District
Mr. Gary M. Cramer, CSR, Official Court Reporter,
Superior Court of Los Angeles County
Hon. John S. Einhorn, Assistant Presiding Judge,
Superior Court of San Diego County
Mr. Edward J. Horowitz, Esq., Law Offices of
Edward J. Horowitz
Ms. Barbara J. Lane, CSR, Supervisor, Court Reporters,
Superior Court of Riverside County
Mr. Len LeTellier, Executive Officer, Superior Court of
Sutter County
Mr. Gary Evan McCurdy, Esq., Assistant Director,
Central California Appellate Program
Ms. Jeanne Millsaps, Executive Officer, Superior Court
of San Joaquin County
Mr. Gordon Park-Li, Executive Officer, Superior Court
of San Francisco County
Ms. Kary Parker, CSR, Official Court Reporter, Superior
Court of Orange County
Mr. Tom Pringle, CSR, Official Court Reporter,
Superior Court of Shasta County
Mr. Paul J. Runyon, Administrator, Litigation Support,
Superior Court of Los Angeles County
Ms. Fiel Tigno, Esq., Supervising Deputy
Attorney General, Office of the Attorney General,
Department of Justice

TASK FORCE MEMBERS ABSENT:

Mr. Alan Slater, Chief Executive Officer, Superior Court
of Orange County

TASK FORCE LIAISON:

Ms. Julie R. Peak, CSR, Chair, Court Reporters Board of
California **(Present)**

PRESENTER:

Mr. John A. Taylor, Jr., Partner, Horvitz & Levy

GUESTS:

None

FACILITATOR:

Ms. Sharon Maher, Maher & Company **(Present)**

AOC STAFF PRESENT:

Ms. Pat Sweeten, Director, Executive Office Programs
Division
Ms. Christine E. Patton, Regional Director, Bay
Area/Northern Coastal Region
Ms. Sally Lee, Manager, Executive Office Programs
Division
Ms. Claudia Ortega, Lead Staff, Court Services
Analyst, Executive Office Programs Division
Ms. Emily Flynn, Attorney, Office of the General
Counsel
Mr. Martin Riley, Governmental Affairs Analyst, Office
of Governmental Affairs
Ms. Deborah Silva, Administrative Coordinator,
Executive Office Programs Division
Ms. Lucy Choate, Secretary II,
Executive Office Programs Division

AOC STAFF ABSENT:

None

Meeting Minutes

Wednesday, December 4, 2002

Item 1 Opening Remarks

Administrative Presiding Justice James A. Ardaiz, Chair of the Reporting of the Record Task Force, called the meeting to order at 1:15 p.m.

Justice Ardaiz announced that due to budget constraints, future task force meetings will be held at the Administrative Office of the Courts in San Francisco. Mr. Gary M. Cramer suggested a meeting be held in Riverside so that the task force could view this county's court reporting systems. Justice Ardaiz stated that if this visit appears to be affordable and would yield valuable information, it will be considered.

Justice Ardaiz provided a brief overview of the agenda and stressed the importance of the task force working from the perspective of building a new statewide model from the ground up.

Item 2 Public Comment

Members of the public did not address the task force on this day.

Item 3 Recap of Accomplishments and Observations from Previous Meeting

Ms. Sharon Maher, facilitator to the task force, recapped the previous meeting's accomplishments and conveyed her observations. She shared that the task force discussions will be more channeled in the future so that decisions can be made more efficiently on specific issues. She also stated she would "park" issues or concerns that are not directly relevant to the matter at hand. "Parked" issues will be noted and then addressed at a more appropriate time.

Item 4 Third Draft of Ground Rules

Motion by Justice Ardaiz: That the ground rules be approved as currently amended.

- First: Mr. Gordon Park-Li; Second: Mr. Gary M. Cramer
- Passed with no opposing votes by the task force.

Item 5 Draft Minutes

Motion by Justice Ardaiz: That the draft minutes of the October 2002 meeting be approved without amendment.

- First: Mr. Gary Evan McCurdy; Second: Mr. Ron Barrow
- Passed with no opposing votes by the task force.

Item 6 Web site Correspondence to the Task Force

Ms. Claudia Ortega reported that only two e-mails have been received from the public via the task force Web site - one request to be placed on a mailing list for the agenda and a hotel's inquiry as to our meeting needs. Ms. Maura Baldocchi requested that the agendas be placed on the Web site in advance of the meetings. Ms. Ortega responded that she would endeavor to do so when the meeting planning timeframe permitted.

Item 7 The Distinction Between Producers of the Record and Contributors to the Record

Justice Ardaiz stated that the purpose of this discussion was to address Mr. Cramer's previously voiced concern that the differentiation between "direct" producers of the record (as previously identified by the task force) and other producers may not be entirely clear.

This discussion then led to the task force identifying, for clarification purposes, the primary functions of the other professions, which produce the record. The task force developed a working list of primary work functions for electronic reporting monitors, videographers, scopists/editors, transcribers, audiotape operators, voice writers, stenomask reporters, and note readers.

Item 8 Attributes of the Ideal Transcript Format

Justice Ardaiz explained that he and task force staff drafted a statement regarding the key attributes of an ideal certified verbatim transcript. The purpose of this statement is to capture the most important attributes of an ideal uniform transcript to provide the task force guidance when developing policy on the issue of transcript uniformity. The task force discussed and modified the draft statement. Justice Ardaiz stated that an updated draft would be provided to the task force on the next day for additional review.

Item 9 Training of Judges and Court Reporters on Needs and Functions of the Court Reporting Profession

Justice Ardaiz reminded the task force that at the October 2002 meeting he convened a work group of task force members to provide the Center for Judicial Education and Research (CJER) with the necessary information to begin developing training for (1) judges on the verbatim transcript production process and the associated demands of court reporting and (2) court reporting staff on the legal mandates and procedural requirements affecting court reporting, and best practices to avoid work related injuries. The work group members include: Ms. Jeanne Millsaps (to facilitate and oversee); Ms. Maura Baldocchi; Mr. Gary M. Cramer; Ms. Barbara J. Lane; Ms. Kary Parker; and Mr. Tom Pringle. Ms. Maggie Cimino, Education Specialist with CJER, will provide overall direction to this group.

Ms. Cimino shared that CJER is in the continual process of building curriculum designs for every position in the judicial branch. Ms. Cimino reported that she met with the work group to begin the curriculum development process. The work group has identified seven primary work function categories, which include: Courtroom Functions; Administrative Functions; Technological Services; Courtroom Protocol/Communication; Transcript Preparation; Specialized Reporting; and Statutes, Rules, and Regulations. Ms. Cimino and the work group will continue to work together to complete the curriculum design process.

Item 10 Other Business/Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 4:40 p.m.

Meeting Minutes Thursday, December 5, 2002

Item 1 Recap of the Previous Day's Discussion

Justice Ardaiz called the meeting to order at 8:40 a.m. and briefly summarized the previous day's discussion.

Item 2 Public Comment

Members of the public did not address the task force on this day.

Item 3 Appellate Attorney Perspectives on Transcript Uniformity

At the invitation of Justice Ardaiz and the task force staff, Mr. John A. Taylor, Jr., provided a presentation to the task force to convey various appellate attorney perspectives on the issue of transcript uniformity. Mr. Taylor is an appellate attorney and partner with the law firm of Horvitz & Levy in Encino, California. His presentation focused on the transcript uniformity issues of accuracy, text format, labeling, indices, cost, and computer-readable transcripts. He also discussed procedural issues such as the deposit/waiver process, lodging of transcripts with the designation of record, requests for transcripts in electronic format, transmission of completed transcripts to parties, and dispute resolution. Mr. Taylor also answered questions posed to him by the task force.

Item 4 Uniform Transcript Attributes

The task force reviewed a revised draft of the statement regarding the key attributes of an ideal certified verbatim transcript. Upon further discussion, the task force approved the following statement:

Uniform Transcript Attributes

A uniform transcript shall meet statewide physical format rules¹; be capable of integration into the courts' technology; meet the needs of users, including paper and electronic formats that are identical to each other; and be provided pursuant to cost provisions that have statewide consistency.

Mr. Gary Cramer requested that the issue of how to define the realtime printout, otherwise known as a rough draft or dirty copy of the transcript, be "parked" for discussion at a later time. This issue was "parked" by Ms. Maher.

Item 5 Differentiation of the Transcript Format

The task force discussed variations of the transcript format. In recognition of the courts' need to become increasingly paperless operations, discussion then centered on the importance of defining the ideal transcript first in terms of an electronic record and then secondarily as a paper document. Following further discussion on this concept, the task force adopted the following statement:

Statement

The transcript should be prepared electronically and be convertible to paper in identical format.

The task force then continued its discussion of the transcript format and addressed the components or elements of margins, line numbers, capitalization, lower case versus upper case text, indentation, use of the box, use of the border, and time stamping.

Item 6 Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 5:10 p.m.

¹ The term "rules" shall be construed as referring to regulations governing format and may be encompassed in but not limited to administrative regulations, statutes, or rules of court.

Meeting Minutes
Friday, December 6, 2002

Item 1 Recap of the Previous Day's Discussion

Justice Ardaiz called the meeting to order at 8:40 a.m. and briefly summarized the previous day's discussion.

Item 2 Public Comment

Mr. Jim Partridge, Official Court Reporter with the Superior Court of California, County of San Diego, addressed the task force as a member of the public.

Item 3 Differentiation of the Transcript Format (Continued from Previous Day)

The task force then continued its discussion of the transcript format giving specific attention to the components or elements of the vertical line that separates line numbers from transcript text, where transcript text should begin, indentation (of question and answer, quoted material, speaker identification, jury instructions, paragraphs, blurbs or parentheticals), justification, characters per line, font style and size, lines per page, margins, line spacing, headers, and footers.

Item 4 Materials and Tools Necessary to the Production of the Record

There was insufficient time remaining for the task force to discuss this agenda item.

Item 5 Accomplishments of the Task Force to Date and Future Course of Action

Justice Ardaiz concluded the meeting by summarizing the progress the task force made over the last few days. He stated that the task force would continue its discussion of the transcript format at the next meeting.

Item 6 Adjournment

With no further business, Justice Ardaiz adjourned the meeting at 12:30 p.m.